

Historic, Archive Document

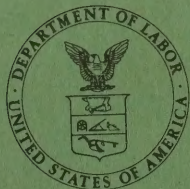
Do not assume content reflects current scientific knowledge, policies, or practices.



✓✓✓
STATUS OF AGRICULTURAL WORKERS
UNDER
STATE AND FEDERAL LABOR LAWS

December 1965

✓✓ Fact Sheet No. 2



✓✓
U.S. DEPARTMENT OF LABOR

Bureau of Labor Standards

Washington, D.C.

AD-33 Bookplate
(1-63)

NATIONAL

**A
G
R
I
C
U
L
T
U
R
A
L**



LIBRARY

601399

CONTENTS

Page

PART A. SPECIAL LAWS FOR THE PROTECTION OF MIGRATORY AGRICULTURAL WORKERS	1
Regulation of Farm Labor Contractors and Crew Leaders.	1
Regulation of Transportation	3
Regulation of Farm Labor Camps	4
Sanitation	5
PART B. LABOR LAWS FOR THE PROTECTION OF AGRICULTURAL WORKERS IN GENERAL, INCLUDING MIGRATORY WORKERS.	5
Child Labor and School Attendance.	6
Discrimination in Employment	8
Workmen's Compensation	9
Minimum Wage	11
Wage Payment and Wage Collection	12
State Labor Relations Acts	13
Unemployment Insurance	14
Temporary Disability Insurance	14
Social Security Law--Old Age and Survivors' Insurance.	14
PART C. FEDERAL LAWS PROVIDING GRANTS-IN-AID FOR PROGRAMS TO BENEFIT AGRICULTURAL WORKERS.	15
Economic Opportunity Act	15
Housing Act.	16
Migrant Health Act	16

Inside Back Cover: List of "Brief Summaries" prepared by the Bureau of Labor Standards

U. S. DEPT. OF AGRICULTURE
NATIONAL AGRICULTURAL LIBRARY

SEP 23 1974

CATALOGING - PREP.

STATUS OF AGRICULTURAL WORKERS UNDER STATE AND FEDERAL LABOR LAWS

State labor laws were originally intended to regulate the working conditions of employees in industry and trade; they were not intended to apply to agricultural workers.

Migratory agricultural workers were faced with additional problems because of the transitory nature of their work. Among the areas of special concern to them have been the activities of the farm labor contractors or crew leaders; transportation; housing and sanitation facilities; and personal and environmental health conditions. In recent years, some State and Federal laws in these areas have been enacted and these are summarized in Part A of this fact sheet.

Similarly, recent enactments in the field of general labor legislation show some evidence of State and Federal interest in granting to agricultural workers the same rights and protections accorded to other workers, but such advances come slowly. The current status of agricultural workers under the major State and Federal labor laws is discussed in Part B.

To encourage State activity for improvement of working and living conditions of agricultural workers, several laws have been passed recently by the U. S. Congress. These laws, summarized in Part C, make funds available to States for programs to improve working and living conditions of the domestic agricultural workers in their States.

PART A. SPECIAL LAWS FOR THE PROTECTION OF MIGRATORY AGRICULTURAL WORKERS

This part summarizes the special laws for migratory workers relating to farm labor contractors or crew leaders, transportation of migratory workers, farm labor camps, and a few laws for general agricultural workers relating to sanitation.

Regulation of Farm Labor Contractors and Crew Leaders

Eight States have laws or regulations applying specifically to farm labor contractors or crew leaders who recruit, transport, control, or supervise migratory agricultural farm laborers:

California (law)	New York (law)
Colorado (regulations)	Oregon (law)
Nevada (law)	Pennsylvania (regulations)
New Jersey (law)	Washington (law)

Among the significant provisions in all of these laws and regulations is the requirement for the contractor to obtain a license or certificate from the administrative agency, in most cases, annually. The contractor is also required to perform certain duties when an employer-employee relationship exists. Important among these are paying promptly all moneys when due, maintaining wage and hour records, keeping such records available for inspection by the administrative agency and the farmworker, providing the worker with an itemized wage and hour statement, and keeping the employee informed on the wages and working conditions which were agreed to between the grower and the contractor. Further, the contractor is prohibited from engaging in certain practices which might adversely affect the workers, such as giving false information to workers concerning terms or conditions or existence of employment, sending workers to a place where a strike or lockout exists, permitting workers to occupy substandard housing contrary to a State migratory housing law, and charging excessive fees for transportation, food, drink, or other services.

Most of the laws also authorize the labor commissioner to revoke, suspend, or refuse to renew the license or certificate for various reasons, including the violation of labor or penal laws, and engaging in any of the prohibited practices already mentioned. All eight laws cover farm labor contractors or crew leaders regardless of the size of the crew supervised or controlled.

Two other jurisdictions have laws with certain of these provisions. Texas has a law which is primarily designed to control the recruitment activities of agents who recruit and place agricultural workers in out-of-State employment, but it also contains certain requirements for labor agents who recruit such workers for use within the State. A Puerto Rico law covers all types of labor agents who recruit workmen, which could include agricultural workmen, for use outside of the jurisdiction as well as those for use inside.

Another New Jersey law requires an annual certificate of registration and sets certain standards for crew leaders of day-haul laborers--those commuting daily from nearby localities.

Federal.---The Federal Farm Labor Contractor Registration Act of 1963 regulates the activities of farm labor contractors in interstate employment. The act requires a farm labor contractor to obtain a certificate of registration from the U. S. Secretary of Labor if the crew he supervises or controls includes 10 or more migrant workers who will be used in interstate agricultural employment. The act prescribes certain duties for the contractor similar to those in the eight State laws mentioned above, prohibits certain undesirable practices, and provides machinery for refusing or revoking a certificate of registration.

Regulation of Transportation

Ten States have specific laws or regulations setting safety standards for vehicles used in the intrastate transportation of farmworkers:

California	New York
Colorado	North Carolina
Connecticut	Oregon
Florida	Pennsylvania
Michigan	West Virginia

Although the requirements vary in these laws and some of the laws have more comprehensive requirements than others, the majority of them include detailed standards for the safety and comfort of the passengers during the time they are being transported to and from jobs. In many instances these standards are patterned after regulations issued by the Federal Interstate Commerce Commission for certain transportation as defined in the next part on the Federal law. Included in the State laws or regulations are qualifications for drivers, including physical fitness requirements, a specified minimum age for drivers, and restrictions on the driver's hours of work. Among the requirements for the safety and comfort of the passengers are: protection from inclement weather, and periodic stops for meals and rest. In addition, the regulations include requirements as to the vehicles, such as that they must have side walls and gates, hand holds, seats with backrests, smooth floors, and that they must meet certain mechanical standards.

Illinois has a law regulating the hours of truckdrivers carrying seven or more passengers, including certain agricultural workers.

Federal.--The Interstate Commerce Commission was authorized to establish reasonable requirements with respect to the comfort of passengers, qualifications of operators of the vehicles, and safety of operation and equipment used in interstate transportation of migratory farmworkers. Such requirements apply to certain motor vehicle carriers transporting migratory workers for a total distance of more than 75 miles, and crossing the boundary line of any State, the District of Columbia, or Territory of the United States, or a foreign country.

For drivers, the regulations require certain minimum physical standards, a minimum age of 21, at least one year of driving experience, and knowledge of traffic rules and regulations; and restrict driving to 10 hours in 24 with 8 hours of rest following. Among the requirements for the safety and comfort of passengers are: the limitation of the number of passengers to those who can be seated, requirements for meal stops of not less than 30 minutes at least every 6 hours and reasonable rest stops at least once between meal stops; and restrictions on methods used for protection against cold weather. Mechanical standards for the vehicles include requirements for parts and accessories necessary for safe operation, such as tires; lighting devices, and electrical equipment; adequacy and performance of brakes; and provision for systematic inspection and maintenance of the vehicle.

Regulation of Farm Labor Camps

Legislation dealing with the housing facilities offered to migratory agricultural workers is one of the earliest and most significant steps toward the improvement of living conditions of these workers. Thirty-two States, including some of those with the greatest demand for migratory workers, have mandatory laws or regulations that apply to all labor camps or specifically to camps for migratory agricultural workers:

Arizona	Maryland	Ohio
California	Massachusetts	Oklahoma
Colorado	Michigan	Oregon
Connecticut	Minnesota	Pennsylvania
Delaware	Montana	Rhode Island
Florida	Nevada	Virginia
Hawaii	New Hampshire	Washington
Idaho	New Jersey	West Virginia
Illinois	New Mexico	Wisconsin
Indiana	New York	Wyoming
Iowa	North Carolina	

These mandatory standards range from very limited requirements in a few States to comprehensive provisions in others.

The usual requirements on the camp site and the physical facilities deal with proper drainage around the camp, spacing of buildings to minimize fire hazards, construction and layout of buildings, size of living and eating spaces, location and maintenance of cooking and eating facilities, and size and screening of windows and exits. The standards on sanitary facilities deal with the amount and type of water supply; the number of toilets, bathing, and laundry facilities per occupant; and the method of sewage and refuse disposal.

A California law authorizes the operation of farm labor centers by the State for persons whose principal source of income (regardless of whether or not it is "low income") is from agricultural work.

Advisory camp regulations are in effect in North Dakota and Utah.

Federal.--Federal regulations, applying to interstate recruitment by the United States Employment Service, which were issued by the Secretary of Labor in 1959, include specific requirements with respect to housing for migratory workers. These regulations are designed to "make certain, before interstate recruitment of domestic agricultural workers by the United States Employment Service, that the wages, housing facilities, provisions for transportation, and other terms and conditions of employment accord to prevailing standards of employment."

Sanitation

California, Connecticut, and Oregon have specific requirements for sanitation facilities for field workers. The California law applies to food crop growing and harvesting operations where five or more employees work 2 or more hours. Connecticut and Oregon have regulations applicable to all field work. The requirements in the laws deal with standards for toilet and handwashing facilities, the maintenance of the equipment, and the location of such equipment in relation to the workplace.

Texas requires a health certificate showing results of a recent tuberculosis examination for persons seeking migratory work. Obtaining employment for persons without such certificates are grounds for revocation of the labor agent's license.

PART B. LABOR LAWS FOR THE PROTECTION OF AGRICULTURAL WORKERS IN GENERAL, INCLUDING MIGRATORY WORKERS

This section briefly summarizes the major provisions applicable to agricultural workers in certain fields of labor law: child labor, antidiscrimination, workmen's compensation, wage, labor relations, unemployment and disability insurance, and old-age benefits.

Child Labor and School Attendance

Only 11 States, Puerto Rico, and the District of Columbia specifically provide a minimum age for employment of children in agriculture outside school hours; and 19 States, Puerto Rico, and the District of Columbia provide a minimum age for such work during school hours. The minimum ages in these 22 jurisdictions are:

State	<u>Outside school hours and during school vacations</u> ^{1/}	<u>During school hours</u> ^{2/}
Alaska	14	No minimum age
California	14 (12 in vacation and on "weekly holidays"). . .	15 (14 under certain conditions)
Colorado	12	16 (14 if legally excused from school)
Connecticut	14	14
District of Columbia	14	14
Florida	No minimum age	16 (12 under certain conditions)
Hawaii	14 (10 in coffee-growing). . .	16 (14 under certain conditions)
Illinois	No minimum age	16
Indiana	No minimum age	14
Maryland	No minimum age	16
Massachusetts	No minimum age	14
Minnesota	No minimum age	14
Missouri	14	14
New Jersey	12	16
New York	14 (12 in certain work). . .	16
Ohio	No minimum age	16
Pennsylvania	No minimum age	15 (14 under certain conditions)
Puerto Rico	14	16 (14 under certain conditions)
Texas	14 (No minimum age for work in summer)	14
Utah	10	14
Virginia	No minimum age if with parent's consent; other- wise, 14.	16
Wisconsin	12 in certain work	12 in certain work

^{1/} In Connecticut the minimum age applies in any week that an employer has an average of more than 15 employees. In Hawaii, minors 10 to 14 may work in the coffee-growing industry after the Director has determined that sufficient adult labor is not available. In New York, children of 12 may assist in the hand harvest of berries, fruit, and vegetables for not more than 4 hours a day between 9 a.m. and

In 13 other States a minimum age is set for employment in "any occupation" or "any business or service," which could be interpreted to include work in agriculture. Of these, only Arkansas sets a minimum age, which is 14, for work both during and outside school hours. In the remaining States, the minimum age applies to work during school hours only:

<u>State</u>	<u>During school hours</u>
Arizona	14
Arkansas	14
Idaho	14
Kansas	14
Maine	15
Montana	16
Nebraska	14
Nevada	14
New Mexico	14
North Dakota	14
Oregon	14
Vermont	14
Wyoming	16

4 p.m. when school is not in session if such children are accompanied by a parent or have the parent's consent. In Wisconsin, the minimum age of 12 during and outside school hours applies to employment in cherry orchards, market gardening, gardening conducted or controlled by canning companies, and the culture of sugarbeets and cranberries.

2/ In Alaska, school attendance is required up to 16 with certain exemptions. In California, minors 14 and over who have completed the 8th grade or whose earnings are needed for family support may be employed during school hours. The Colorado law permits the Industrial Commissioner to grant special exemptions. The Florida law permits minors 12 and over to be employed if legally excused from school, or if because of poverty the Industrial Commission determines such work is necessary, or if recommended by a juvenile court judge. In Hawaii, the minimum age applies when a child is "required" to attend school, otherwise the age is 14. The Pennsylvania law permits employment of a minor 14 or over who has completed the highest elementary grade in his district upon proof of urgent need. In Puerto Rico, minors 14 or 15 may work in nonhazardous employments if school attendance is not possible.

The remaining 17 States clearly do not cover employment of children in agriculture either during or outside school hours:

Alabama	North Carolina
Delaware	Oklahoma
Georgia	Rhode Island
Iowa	South Carolina
Kentucky	South Dakota
Louisiana	Tennessee
Michigan	Washington
Mississippi	West Virginia
New Hampshire	

Compulsory school attendance laws supplement the standards set under the child labor laws by requiring boys and girls to attend school to a certain age, usually to 16. In many States, however, these laws permit children under 16, or even under 14, to be excused from school for work, including work in agriculture.

The situation as it relates to children of migratory farmworkers is even more serious, because the school laws often do not apply to them, and even where the laws apply, their opportunities for school attendance are often very meager since the migrants travel from State to State. A few States, including Colorado, Michigan, New Jersey, Oregon, and Pennsylvania, have enacted laws providing for summer sessions especially for children of migratory farmworkers, or specifically encouraging their attendance during the regular sessions.

Federal.--Two Federal laws affect the employment of children in agriculture. The Fair Labor Standards Act establishes a 16-year minimum age for agricultural employment during school hours in connection with interstate or foreign commerce. Under the Sugar Act, if the producers are to obtain maximum benefits they may not employ children under 14, or permit those of 14 and 15 to work more than 8 hours a day, in the cultivation or harvesting of sugarbeets or sugarcane.

Discrimination in Employment

Thirty-six jurisdictions have laws prohibiting discrimination in employment based on race, creed, color, national origin, or ancestry. Of these only the Illinois and Pennsylvania laws exempt agriculture. In addition, the California law exempts farmworkers residing on the land where they are employed; however, this exemption has been suspended until September 1967.

Farm laborers are also exempt from three (Indiana, Pennsylvania, and Rhode Island) of the 23 laws prohibiting discrimination because of age.

Workmen's Compensation

Although workmen's compensation legislation was the first type of social insurance to be developed extensively in this country, progress has been slow in extending such benefits to agricultural workers. Only 22 jurisdictions have some specific coverage of agricultural workers:

Five States and Puerto Rico cover all farm employment:

California	New Jersey
Hawaii	Oregon ^{3/}
Massachusetts	Puerto Rico

Eight States cover all EXCEPT

Alaska	part-time workers
Maine	seasonal or casual workers
Connecticut . . .	employees of employers having fewer than 2 employees
Michigan ^{4/}	" " 3 employees who worked less than 35 hours a week for 13 or more weeks during the preceding 52 weeks
New Hampshire . .	" " 5 employees
Ohio	" " 3 employees
Vermont	" " 6 employees
Wisconsin	" " 6 employees who work less than 20 days during a calendar year

^{3/} Oregon: Employees of farm employers with annual payrolls of over \$1,500 will be covered on and after January 1, 1968.

^{4/} Michigan also provides medical and hospital coverage for all employees of farm employers who work 35 hours or more a week for five or more consecutive weeks and who are not covered under the act.

Seven States cover workers in specific farm employments only:

	<u>Covered employment</u>	Workers are exempted where employers have fewer than--
Arizona	In the use of machinery	3 employees
Kentucky	In the operation of threshing machines for grain or seeds	3 employees
Louisiana	In the operation of harvesting and thresh- ing machinery	Workers are exempted if being transported to or from such work
Minnesota	As commercial thresher- men and balers	-----
New York	In the operation of bal- ing, threshing, and other machines under certain conditions	-----
South Dakota	Commercially, in the operation of threshing machines, grain combines, corn shellers, and seed hullers	-----
Wyoming	In "power farming" on such machinery as pickup truck, feed grinder, stacking machinery, tractor, mower, baler, or road grader	-----

The 22d jurisdiction, Florida, exempts agricultural labor on a farm of a bona fide farmer or an association of farmers, and workers of employers with three or fewer employees. All other agricultural workers are covered, including, for example, workers of commercial grove-caretaking organizations, fruit pickers for packinghouse operators who purchase fruit on the trees, fruit or vegetable harvest workers for farm labor contractors, fruit or vegetable packers in packinghouses not on farms.

Five laws have no provision for coverage: Alabama and the District of Columbia expressly prohibit all coverage of farmworkers, while the laws of Oklahoma, Tennessee, and Texas are silent on the subject of coverage.

In the remaining States agricultural workers are exempted from automatic coverage, but the farmers may by voluntary acceptance bring these employees under the law. Three of these States-- Delaware, Idaho, and Iowa--specifically authorize employers of farm labor to provide voluntary coverage.

Minimum Wage

Of the 39 minimum wage laws,^{5/} only those of Hawaii and Puerto Rico specifically apply to agricultural workers, both men and women. Hawaii sets \$1.25 an hour and covers agricultural work in any work-week in which the employer has 20 or more employees, except individuals for any week in which they are engaged in coffee harvesting. In Puerto Rico the statutory rates vary from 25 cents an hour to \$5.50 a day for different kinds of agricultural work.

In Michigan a 1964 enactment applies to men and women in some nonseasonal agricultural work if the employer has four or more workers. The law specifies that no employer may employ any employee "for more than 13 weeks in any 4 consecutive 3-month periods" at less than the minimum rate of \$1.15 an hour on January 1, 1966 and \$1.25 an hour effective January 1, 1967. A 1965 law suspended coverage of employees of fruit, pickle, and tomato growers, and any other agricultural employers who traditionally contract for harvesting on a piecework basis, pending study and determination of adequate piece rates. The law requires that such a determination be made not later than July 31, 1966.

Nine other laws are broad enough to cover agriculture: those of California, Colorado, the District of Columbia, Kansas, North Dakota, Oregon, Utah, Washington,^{6/} and Wisconsin. They do not set minimum wage rates in the law, but provide for setting such rates by administrative order, and apply to women and minors only.

Of these nine, two have issued orders applying specifically to agriculture. A California wage order sets a minimum rate of \$1.30 an hour for women and for minors under 18 years of age employed on the farm preparing products for the market. Another order, applying where five or more employees are employed at any one time during the year, sets an hourly minimum of \$1.30 for women and \$1.10 for minors of 16 and 17 in broadly defined agricultural occupations. Under this order piece rates must yield the minimum wage for at least 80 percent each of the women and of the minors employed in a pay period.

^{5/} Three of these (Illinois, Kansas, and Louisiana) have wage board laws, but no minimum wage rates are in effect in any of them.

^{6/} A second law in Washington sets a statutory minimum rate for men and women over 18 years of age, but it excludes agriculture.

A Wisconsin order sets a minimum wage of \$1.00 an hour for employment of women and of minors 16 to 21 years of age and 75 cents for minors under 16. Piece rates must yield 5 cents an hour more than the minimum rate to 65 percent of the women and minors during a payroll period.

Federal.--The Sugar Act provides for payment of benefits to producers of sugarbeets and sugarcane who comply with certain conditions. One of these conditions is that farmworkers must be paid in full for work performed on these crops and at rates not less than those determined by the Secretary of Agriculture to be fair and reasonable.

Farmworkers who cultivate the soil, grow or harvest crops, or who raise livestock, bees, fur-bearing animals, or poultry are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.

Wage Payment and Wage Collection

Ten State wage payment laws provide protection for all or some farmworkers. The California, Colorado, Delaware, Massachusetts, New Jersey, New York, Pennsylvania, and Texas laws apply to all workers, including farmworkers, and the New Hampshire law is applicable to farmworkers if five or more such workers are employed. The Minnesota law covers "transient" workers, which has been interpreted by the Attorney General to apply to migratory workers who are employed on any project of a transitory nature.

The laws in all ten States make requirements for regular paydays. For example, in New Hampshire and New York the laws require weekly paydays; in Minnesota, at 15-day intervals; in Colorado, Delaware, and Massachusetts, at least once a month; in New Jersey, Texas, and California, semimonthly, except that employees in California who are boarded and lodged may be paid monthly. In Pennsylvania, there is no time limit, but the law requires that workers must be paid on a "regular payday designated in advance."

All of the laws, except that of New York, also require prompt payment in case an employee is discharged or quits. In addition, the Delaware, New Hampshire, and New Jersey acts require employers to maintain payroll records and give statements of deductions to employees; and the Colorado law requires recordkeeping by farm labor contractors. Another New York law requires growers and farm labor contractors to pay wages promptly, keep payroll records, and give employees wage statements.

In 22 other general wage payment laws, usually requiring regular paydays, prompt payment in case of quitting or discharge, or payment in lawful money, are sufficiently broad so that they could be applied to farm employees, those in:

Alaska	Nevada
Arizona	North Dakota
Arkansas	Ohio
Connecticut	Oklahoma
District	Oregon
Columbia	Puerto Rico
Hawaii	Rhode Island
Idaho	Tennessee
Illinois	Vermont
Kansas	West Virginia
Kentucky	Washington
Louisiana	

In California, Delaware, New Hampshire, New Jersey, New York, and Pennsylvania the wage collection laws authorize the labor departments to use legal procedures to collect back wages for employees, including those in agriculture. The laws of 12 other jurisdictions are broad enough so that the collection authority could apply to claims of farm-workers.

Alaska	Nevada
Arkansas	North Dakota
Connecticut	Oregon
District of	Puerto Rico
Columbia	Rhode Island
Hawaii	Washington
Illinois	

State Labor Relations Acts

Of the 14 labor relations acts which recognize the right of employees to organize and to bargain collectively, three (those of Kansas, Puerto Rico, and Wisconsin) appear broad enough to cover all agricultural workers. One other, that of Hawaii, exempts workers engaged in the feeding and milking of cows, presumably including all other agricultural workers. The remaining 10 laws specifically exempt agricultural workers from coverage.

Federal.--The Federal Labor Management Relations Act, known as the Taft-Hartley Act, specifically exempts agricultural laborers.

Unemployment Insurance

A Federal-State system of insurance has been provided under authorization of the Federal Social Security Act, to protect wage earners and their families against loss of income due to unemployment. However, Hawaii and Puerto Rico are the only jurisdictions which specifically cover agricultural workers under their unemployment insurance laws.

In Hawaii agricultural workers are covered if their services are performed for an employer who has 20 or more employees in 20 weeks in the current or preceding calendar year. However, the employer is given a choice as to whether he will be covered under the general unemployment insurance law or under a separate agricultural unemployment compensation law. In Puerto Rico the law applies to workers in the agricultural phase of the sugar industry. This law provides a schedule of weekly benefits for these workers, which differ from the benefits payable to all other workers in covered employment.

All other laws exclude farm labor, except that of the primarily urban District of Columbia. The laws of all but Alabama, Massachusetts, and New York permit voluntary coverage, subject to approval by the State agency.

Temporary Disability Insurance

Temporary disability insurance laws provide benefits to workers because of nonwork-connected illness or accident in California, New Jersey, New York, and Rhode Island. Only the California law, however, covers farmworkers.

Social Security Law--Old Age and Survivors' Insurance

Federal.--The Social Security Act covers farm employees who are paid by an employer \$150 or more in cash during a calendar year, or who have worked for an employer on 20 or more days during a calendar year for cash pay on a time basis. The act also covers self-employed farmers who have actual net earnings of \$400 or more a year (or at their option if gross earnings are \$600 or more a year).

Farm crew workers are employees of the crew leader if the crew leader (a) arranges with the farm operator to furnish workers; (b) pays the workers either on his own behalf or on behalf of the farm operator; and (c) is not designated as the farm operator's employee in a written agreement between himself and the farm operator. The crew leader in this case is considered self-employed and is responsible for the payment of employment taxes and for reporting the workers for social security purposes. If an agreement has been entered into in writing that the crew leader is the farm operator's employee, all of his crew members are also employees of the farm operator. If the crew leader does not pay the workers or has not entered into a written agreement as above, the common-law test is applied in determining the identity of the employer of the workers and the status of the crew leader.

PART C. FEDERAL LAWS PROVIDING GRANTS-IN-AID FOR PROGRAMS TO BENEFIT AGRICULTURAL WORKERS

Public and private nonprofit agencies are being encouraged to apply for Federal funds available under various laws for the improvement of the working, living, and health conditions of domestic agricultural workers. Although funds may be available under other recent Federal laws, only those which specifically authorize funds for agricultural workers are summarized below.

Economic Opportunity Act

For the benefit of migrant and other seasonally employed agricultural workers and their families, one of the provisions in the 1964 Economic Opportunity Act authorizes the initiation of a program to assist States and subdivisions and public and nonprofit agencies by direct loans to establish programs of housing, sanitation, education, and day care of children. Also among the provisions for urban and rural community action programs, the act authorizes an allotment of funds among the States to develop programs concerned with employment, job training, counseling, health, vocational rehabilitation, housing, home management, welfare, and special remedial education to meet the needs of low-income rural families. As of June 30, 1965, the Office of Economic Opportunity reports that projects have been developed and financed in practically every State with any substantial number of migrants or seasonal farmworkers. It reports that a total of 50 projects from 26 States have been approved and are in operation or shortly will be. These programs include statewide or multicounty programs of day care, education, improved sanitation, and housing.

Housing Act

One of the programs authorized under the Housing Act of 1964 provides for grants to States or political subdivisions, or public or private nonprofit organizations, to assist in providing housing and related facilities for domestic farm labor. An applicant would have to agree (a) not to charge rentals exceeding amounts approved by the Secretary of Labor, (b) to maintain the housing in a safe and sanitary condition, and (c) to give domestic farm labor absolute priority for occupancy of the housing.

Migrant Health Act

The purpose of this act, passed in 1962, is to expand services to improve health care and health conditions for domestic agricultural migratory workers and their families. The act has two main provisions. The first authorizes the Public Health Service, U. S. Department of Health, Education, and Welfare, to make grants to public and other nonprofit agencies to pay part of the cost of establishing and operating family health service clinics and other special projects to improve health services and conditions of domestic agricultural migratory workers and their families. The second provision authorizes the Public Health Service to encourage and cooperate in programs for the purpose of improving migrant health services and conditions. So far, grants have been awarded for 60 health projects in 30 jurisdictions,



1022373536

BRIEF SUMMARIES
(Revised periodically)

Fact Sheet No. 1				Brief Outline of Labor Law Development in the United States
"	"	"	2	Status of Agricultural Workers Under State and Federal Labor Laws
"	"	"	3-A	Brief Summary of State Child Labor Laws
"	"	"	3-B	Questions and Answers on Child Labor Laws
"	"	"	3-C	Brief Summary of State Compulsory School Attendance Laws
"	"	"	4-A	Brief Summary of State Minimum Wage Laws
"	"	"	4-B	Brief Summary of State Wage Payment and Wage Collection Laws
"	"	"	4-C	Brief Summary of State Prevailing Wage Laws
"	"	"	5	Brief Summary of State Laws Regulating Private Employment Agencies
"	"	"	6-A	Brief Summary of State Fair Employment Practice Acts
"	"	"	6-B	Brief Summary of State Laws Prohibiting Discrimination in Employment Because of Age
"	"	"	6-C	Age Discrimination Prohibited Under State Laws-- A Table
"	"	"	7-A	Brief Summary of State Labor Relations Acts
"	"	"	7-B	Brief Summary of State Mediation Laws
"	"	"	7-C	Brief Summary of State Union Regulatory Provisions
"	"	"	8	Brief Summary of State Laws Regulating Industrial Homework
"	"	"	9-A	Brief Summary of State Occupational Safety and Health Legislation
"	"	"	9-B	Brief Summary of State Laws and Regulations for the Control of Radiation Hazards
"	"	"	10	Brief Summary of State Workmen's Compensation Laws

NATIONAL AGRICULTURAL LIBRARY



1022373536